

UNITED STATES DISTRICT COURT

SOUTHERN

DISTRICT OF

NEW YORK

APPEARANCE

Case Number: 07 Civ. 09457 (RJH) (AJP)

To the Clerk of this court and all parties of record:

Enter my appearance as counsel in this case for

Defendant Fremont Investment & Loan, in place of and instead of Bryan Berson who is no longer associated with Patton Boggs LLP

I certify that I am admitted to practice in this court.

3/21/2008

Date

Signature

Philip M. Smith

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